

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

LINDA FLINT EDGE,
Plaintiff,

v.

NORFOLK FINANCIAL CORPORATION
and DANIEL W. GOLDSTONE,
Defendants.

No. 04-12134 DPW

AFFIDAVIT OF YVONNE W. ROSMARIN PURSUANT TO FED. R. CIV. P. 56(f)

Yvonne W. Rosmarin declares under penalty of perjury and on personal knowledge that the following statements are true and that if called as a witness she could competently testify thereto:

1. I am the attorney for the plaintiff in the instant case.
2. Defendants' motion is to dismiss or, alternatively, for summary judgment.
3. Defendants' memorandum in support of their motion asserts that Defendant Goldstone is not individually liable. This assertion is not included in Defendant's motion and Plaintiff cannot discern on what basis this assertion is made or whether Defendant Goldstone seeks to dismiss the claims against him or seeks summary judgment.
4. Plaintiff cannot present by affidavit facts essential to justify her opposition to Defendants' assertions in their memorandum as to Defendant Goldstone's liability, to the extent this Court considers such assertion part of Defendants' motion, to the extent that it is considered a motion for summary judgment, and to the extent that Goldstone denies personal participation in the letters, with respect to the following facts, which Plaintiff plans to elicit through discovery:
 - a. The extent of Goldstone's personal participation in sending the collection letters attached to Plaintiff's Complaint as Exhibits 1 through 4;
 - b. The extent of Goldstone's authorization of use of his name on the letters;

c. The extent of Goldstone's involvement in setting and implementing the policies and procedures of Norfolk Financial Corporation;

d. Facts which would allow the Plaintiff to show that Goldstone meets the definition of debt collector in FDCPA § 1692a(6);

e. Facts which would allow Plaintiff to amend her Complaint to allege piercing of Norfolk's corporate veil.

5. Attached to this affidavit as Exhibit A is a true and accurate copy of Defendant Norfolk Financial Corporation's 2003 Annual Report received from the Massachusetts Secretary of the Commonwealth's office.

Signed this 22nd day of Dec., 2004

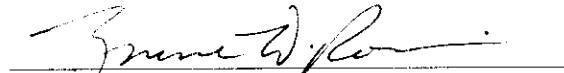

Yvonne W. Rosmarin

EXHIBIT A

The Commonwealth of Massachusetts

FEE: \$ 125

William Francis Galvin
 Secretary of the Commonwealth
 One Ashburton Place, Boston, Massachusetts 02108-1512
 Telephone: (617) 727-9640

NOTE: PLEASE TYPE OR PRINT CLEARLY! SEE INSTRUCTIONS.

040035164

MASSACHUSETTS CORPORATION ANNUAL REPORTFederal Identification Number 04-3496097

- 1 The exact name of the corporation is: NORFOLK FINANCIAL CORP
- 2 Location of its principal office in Massachusetts: 1208 VFW PARKWAY, SUITE 201
(number and street)
BOSTON, MA 02132
(city or town) (state) (zip)

NOTE: If corporation is organized wholly to do business outside Massachusetts, state location of that office also:

- (number and street) (city or town) (state) (zip)
- 3 Name and address of the Resident Agent, if any: _____
(name)
- (number and street) (city or town) (state) (zip)
- 4 Date of the end of the last fiscal year was: DECEMBER 31, 2003
(month) (day) (year)

- 5 Check here if the corporation stock is publicly traded: ☐

- 6 The capital stock of each class as of the end of its last fiscal year was:

| CLASS OF STOCK | PAR VALUE PER SHARE STATE IF NO PAR | TOTAL AUTHORIZED BY ARTICLES OF ORGANIZATION OR AMENDMENTS | | TOTAL ISSUED AND OUTSTANDING |
|----------------|---|---|-----------------|---------------------------------|
| | | Number of Shares | Total Par Value | |
| COMMON: | NO PAR | 15,000. | NO PAR | 1,000. |
| PREFERRED: | | | | |

- 7 State the names and addresses of the officers specified below and of all the directors of the corporation, and the date on which the term of office of each expires:

| OFFICERS | NAME | ADDRESS | EXPIRATION OF TERM |
|-----------|---------------------|---|-----------------------|
| | | Number, Street, City or Town, State, Zip Code | |
| PRESIDENT | DANIEL W. GOLDSTONE | 1208 VFW PARKWAY, BOSTON, MA 02132 | 2004 |
| TREASURER | DANIEL W. GOLDSTONE | 1208 VFW PARKWAY, BOSTON, MA 02132 | 2004 |
| CLERK | DANIEL W. GOLDSTONE | 1208 VFW PARKWAY, BOSTON, MA 02132 | 2004 |
| DIRECTORS | DANIEL W. GOLDSTONE | 1208 VFW PARKWAY, BOSTON, MA 02132 | 2004 |

I, the undersigned Daniel W. Goldstone being the TREASURER of the above-named corporation, in compliance with the General Laws, Chapter 156B, hereby certify that the above information is true and correct as of the dates shown. IN WITNESS WHEREOF AND UNDER PENALTIES OF PERJURY, I hereto sign my name on this

✓ 8th day of MARCH

Signature: [Signature] Title: TREASURER

Contact Person: Daniel W. Goldstone Contact Person Telephone Number: 617-328-1533